

Notice of Allowability

Application No.

09/918,047

Examiner

Cheukfan Lee

Applicant(s)

TAKEUCHI ET AL.

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed March 14, 2005.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

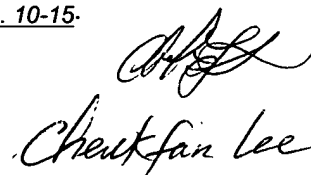
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other : Corrected Figs. 10-15.


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1. Claims 1-6 are pending. Claims 1 and 4 are independent.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Sungho Hong on April 14, 2005. Mr. Hung agreed to amend claims 1 and 4 in the manner below so that claimed invention is patentably distinct from the previously applied prior art Takahara (U.S. Patent No. 6,285,441), to avoid a possible art rejection using Sheng (U.S. Patent No. 6,801,343) or Sheng (U.S. Patent No. 5,801,851), and to correct mirror errors in order to place the claims in condition for allowance. Mr. Hong also agreed on labeling Figs. 10-15 with the term "PRIOR ART".

3. **Please amend the drawings and claims as follows:**

In the drawings

Label Figs. 10, 11, 12, 13, 14, and 15 with – PRIOR ART --.

In the claims

In claim 4, line 4 of the claim, after "into two", insert – substantially equal --;

line 9, before "biasing member", change "a" to – only one --;

line 11, before "only", insert – the --;

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line 12, after "regions", insert -- , --; and

line 13, after "wherein", insert – the --.

In claim 4, line 6 of the claim, after "into two", insert – substantially equal --;

line 9, before "biasing member", change "a" to – only one --;

line 10, at the end of the line, after "at", insert – the --;

line 11, after "regions", insert -- , --; and

line 12, after "wherein", insert – the --.

4. Claims 1-6 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Independent claims 1 and 4 as amended above each require that the guide shaft divides the image reading unit into two substantially equal regions, the apparatus has only one biasing member provided between the image reading unit and the holding member which holds the image reading unit, the biasing member provided at only one of the two substantially equal regions to bias the image reading unit toward the original table at the only one region.

Takahara (U.S. Patent No. 6,285,441), which is one of the closest prior art reference and previously applied, discloses two biasing members (7a, 7b) for biasing the imager reading unit toward the original table at two regions of the image reading unit

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divided by the guide shaft. Therefore, the combination of features of claim 1 or claim 4 stated above is patentably distinct from Takahara.

Sheng (U.S. Patent No. 6,801,343) and Sheng (U.S. Patent No. 5,801,851), which are other closest prior art references, cited below, show a single biasing member (4 in Fig. 4) provided between the image reading unit and the holding member (2) which holds the image reading unit (1). However, the guide shaft (21 in Fig. 4) of Sheng does not divide the image reading unit (1) into two substantially equal regions but divides the unit (1) into two regions, one of which is much smaller than the other (Fig. 4), and both the Sheng patents do not disclose or suggest that the guide shaft (21) may be moved to the middle with respect to the longitudinal direction of the image reading unit (1) such that the guide shaft divides the image reading unit (1) into two substantially equal regions. Further, the single biasing member (4) is disposed at substantially the middle with respect to the longitudinal dimension of the image reading unit (1) (Fig. 4). Thus, even after the movement of the guide shaft (21) to the middle as discussed in a modification process, the single biasing member (4) is not provided at one of two substantially equal regions of the image reading unit (1) but provided at the middle between the two regions. Then, the biasing member (4) would have to be moved to one of the regions in order to produce the presently claimed invention, which is considered hind sight since both Sheng disclosures do not even remotely suggest such.

Claims 2 and 3 depend on claim 1. Claims 5 and 6 depend on claim 4.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sheng (U.S. Patent No. 6,801,343) discloses a flatbed image scanner (Fig. 4).

Sheng (U.S. Patent No. 5,801,851) discloses a flatbed image scanner (Fig. 4).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
April 15, 2005

A handwritten signature in black ink, appearing to read "Cheukfan Lee". The signature is stylized with a large, looped initial "C" and "L".

FIG. 11 PRIOR ART

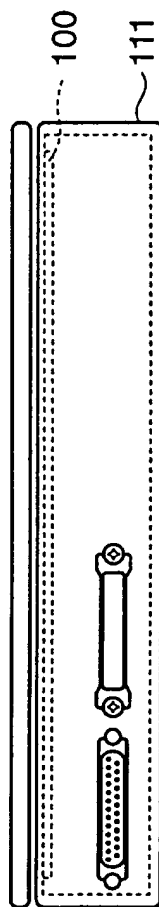


FIG. 12 PRIOR ART

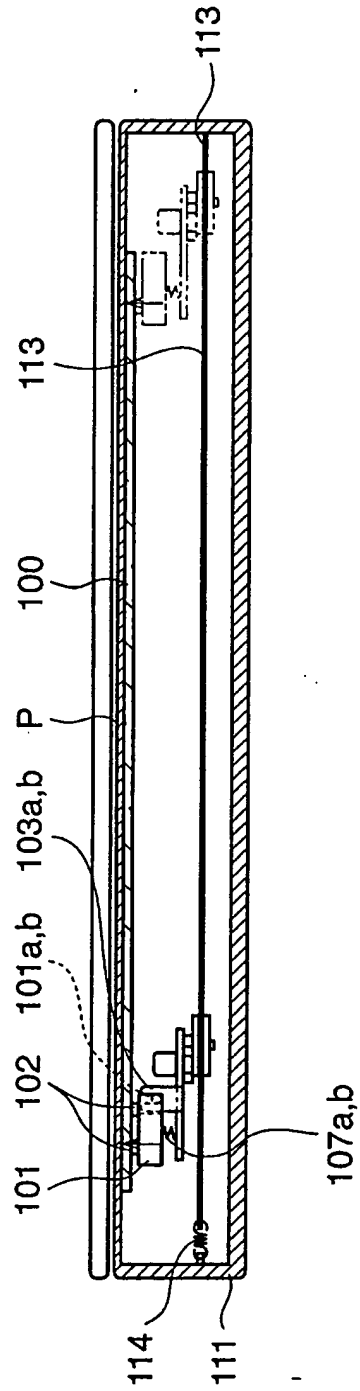


FIG. 13 PRIOR ART

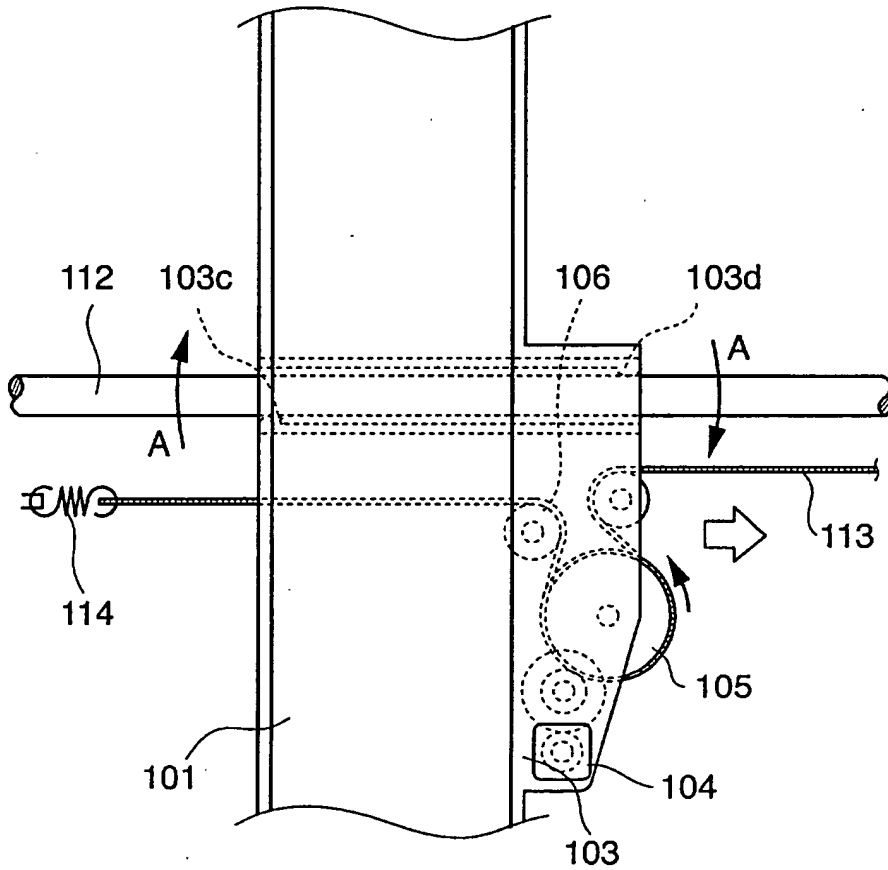


FIG. 13 PRIOR ART

FIG. 14 PRIOR

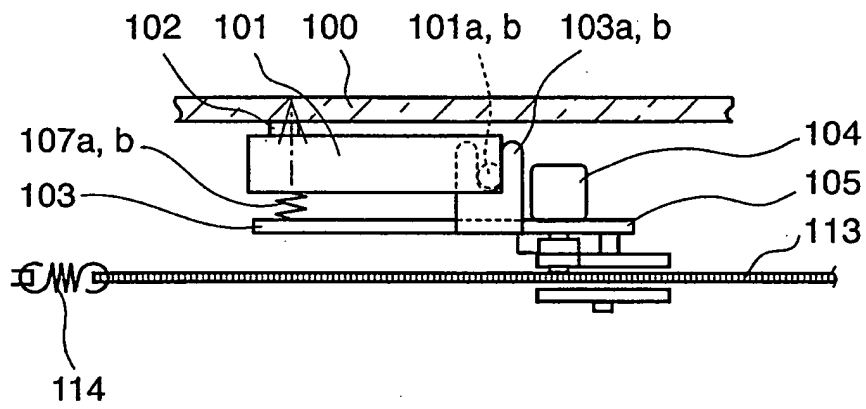
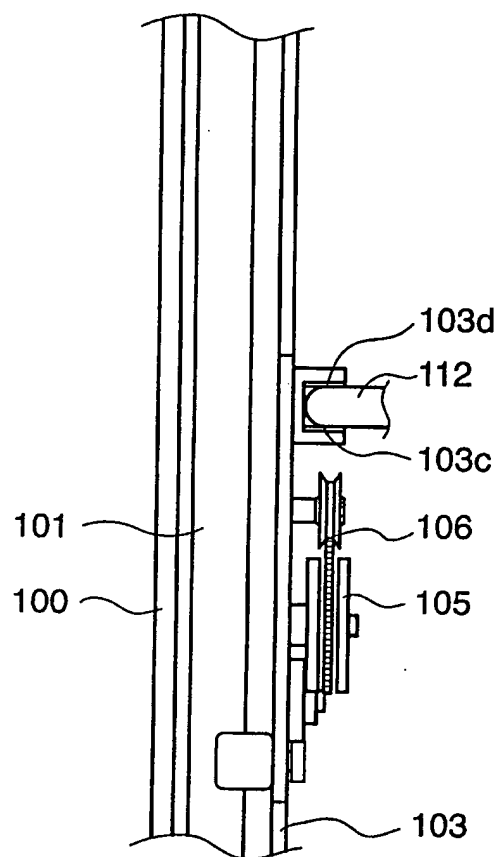


FIG. 14 PRIOR

FIG. 15 PRIOR ART.



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